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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,044	01/19/2005	Peter Drott	PCT10483US	3988
23122	7590	06/15/2006	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			LEE, GILBERT Y	
			ART UNIT	PAPER NUMBER
			3673	

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/522,044	Applicant(s) DROTT ET AL.	
	Examiner Gilbert Y. Lee	Art Unit 3673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/19/05, 3/24/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. The drawings are objected to because the radial apertures are not shown in detail. It is also unclear to the examiner whether the extension comprises to planar surfaces or if the surfaces are broken as shown broken as shown by the aperture labeled 8. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claims 8-14 are objected to because of the following informalities: All independent claims should start with "A" and all dependent claims should start with "The". Appropriate correction is required.

3. Claim 8 is objected to because of the following informalities: It is unclear to the examiner whether the applicant is claiming the combination of the cylinder-and-piston unit and seal or if the applicant is claiming the subcombination of the seal. For the purposes of this examination, the examiner is interpreting the claim for the combination of the cylinder-and-piston unit and seal. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakamura (US Patent No. 4,781,024).

Regarding claim 8, the Nakamura reference discloses a sealing collar (Fig. 2) for a cylinder-and-piston unit (11 and 13 respectively), wherein the sealing collar is essentially received in a groove (e.g. groove made by element 23 and 13) that is inserted into the cylinder (Fig. 1), and the sealing collar comprises two sealing lips (22b

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and 22c), the first sealing lip (22c) thereof being acted upon dynamically and making catch at the piston (Fig. 2), while the second sealing lip (22b) thereof is acted upon statically and rests on a bottom (e.g. the surface of 23 contacting element 22) of the groove (Fig. 2),

wherein the sealing collar includes a circumferential extension (22d) that extends in parallel to the sealing lips (Fig. 2), is arranged radially between the first sealing lip and the second sealing lip and projects from the sealing lips in an axial direction (Fig. 2).

Regarding claim 9, the Nakamura reference discloses the width of the groove being larger than the inside width of the sealing collar (Fig. 2).

Regarding claim 10, the Nakamura reference discloses the second sealing lip. Note that the second lip of the Nakamura reference is capable of being passed over by pressure fluid flow and hence provide the effect of a valve, because the structure as claimed in claim 1 is the same as the structure of the Nakamura reference.

Regarding claim 11, the Nakamura reference discloses the extension having at least the same rate as the strength of the each of the lips (Fig. 2). Note that the seal of the Nakamura reference is made of one material and since the extension has a thicker diameter, it will have a strength that is equal, if not greater, than the strength of the lips.

Regarding claim 12, the Nakamura reference discloses the extension being provided with radial apertures (e.g. apertures between elements 22e). Note that the apertures are capable of allowing pressure fluid to pass through in a radial direction.

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Regarding claim 13, the Nakamura reference discloses the apertures being open in an axial direction towards the free end of the extension (Fig. 2).

Regarding claim 14, the Nakamura reference discloses the extension being integrally connected to the sealing collar and being made of the same material (Fig. 2).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Flick (US Patent No. 2,660,493).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gilbert Y. Lee whose telephone number is 571-272-5894. The examiner can normally be reached on 8:00 - 4:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patricia L. Engle can be reached on (571)272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Patricia Engle
SPE
Art Unit 3673

GL
6/11/06